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Date: February 6, 2006

Signed: _____

Linda Phillips

PATENT

Customer No. 22,852

Attorney Docket No. 07303.0127-00000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Michael SOGARD

Application No.: 10/038,342

Filed: October 23, 2001

For: METHODS AND DEVICES FOR
HYBRIDIZATION AND BINDING
ASSAYS USING THERMOPHORESIS

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) Group Art Unit: 1639

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) Examiner: Mark Lance SHIBUYA

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) Confirmation No.: 7706

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Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicant brings to the attention of the Examiner the documents on the attached listing. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final action, Quayle action, or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement is accompanied by a fee of \$180.00 as specified by Section 1.17(p). Please charge \$180.00 to Deposit Account No. 06-0916 for the fee.

02/09/2006 BABRAHA1 00000064 060916 10038342
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Copies of the listed foreign patent and non-patent literature documents are attached.

Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claims in the application and Applicant determines that the cited documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

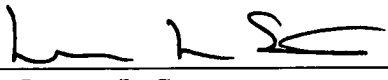
Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any additional fee due in connection with the filing of this Statement, please charge the fee to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Date: February 6, 2006

By: 
Lauren L. Stevens
Reg. No. 36,691

Complete if Known

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

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of

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Application Number	10/038,342
Filing Date	October 23, 2001
First Named Inventor	Michael Sogard
Art Unit	1639
Examiner Name	Mark Lance Shibuya
Attorney Docket Number	07303.0127-00000

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS

Examiner Initials	Cite No. ¹	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			

Note: Submission of copies of U.S. Patents and published U.S. Patent Applications is not required.

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		DE 36 22 591 C2	Jan 14, 1988			Abstract only

NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation ⁶
		Ananthaswamy, Anil, "Origin of Life: Swirling hot water on the ocean floor may have given evolution a kick-start," <u>New Scientist</u> , 176(2367):15, 2002.	
		Bielenberg, James R. et al., "A hydrodynamic/Brownian motion model of thermal diffusion in liquids," <u>Physica A</u> , 356, 279 - 293, May 2005.	
		Braun Dieter et al., "Trapping of DNA by Thermophoretic Depletion and Convection," <u>Physical Review Letters</u> , 89(18):188103-1 - 188103-4, October 2002.	
		Day, Charles, "Thermal Gradients Can Boost the Local Concentration of DNA in Solution," <u>Physics Today</u> , 16 - 17, February 2003.	
		Liu, Edison T., "Gene Array Technologies in Biological Investigations," <u>Proceedings of the IEEE</u> , 93(4):737 - 749, April 2005.	
		Liu, Robin H. et al., "Acoustic micromixer for enhancement of DNA," <u>J. Microlith., Microfab., Microsyst.</u> , 2(3):178 - 184, July 2003.	
		Murphy, David, "Gene Expression Studies Using Microarrays: Principles, Problems, and Prospects," <u>Advances in Physiology Education</u> , 26(4):256 - 270, December 2002.	

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.